

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

PAMELA G. CAPPETTA,  v.  GC SERVICES, LP,	Plaintiff,    Defendant.
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Action No. 3:08-CV-288

ORDER

THIS MATTER is before the Court on Defendant's Motion for Sanctions and to Enforce Protective Order (Doc. No. 205) and Plaintiff's Motion for Sanctions (Doc. No. 172). The Court has received briefings on both Motions and heard argument on Defendant's Motion.

While the Court is disturbed by the manner in which Plaintiff's counsel used documents subject to the Protective Order of October 27, 2008 (Doc. No. 44), Plaintiff's counsel presents a colorable claim as to why it has not violated the letter of the Protective Order. After due consideration, Defendant's Motion is therefore DENIED. In light of Plaintiff's counsel's conduct, it's request for fees and costs pursuant to Local Rule 37(E) is also DENIED.

After due consideration, Plaintiff's Motion for Sanctions is DENIED.

Let the Clerk send a copy of this Order to all counsel of record.

It is SO ORDERED.

   _____/s/ James R. Spencer Chief United States District Judge
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ENTERED this 12th day of November 2009